REMARKS

Applicants have thoroughly considered the Examiner's remarks in the August 25, 2008 Final Office action and the application has been amended in light thereof. Claim 1 has been amended and claims 1-5, 7 and 8 are presented in the application for further examination. Reconsideration of the application claims as amended and in view of the following remarks is respectfully requested.

Rejection under 35 U.S.C. §103(a)

Claims 1-5 and 7-8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fleming, III, U.S. Patent No. 6,530,018. Applicants disagree with the Examiner's understanding of the invention and submit that Fleming fails to disclose or suggest each and every element of the amended claims. In particular, Fleming fails to disclose discrete and separate devices are recited by the claims.

For example, amended claim 1 recites:

> a receiver, on a target device, including means for receiving an inventory-commence message from a client computer over a data network in response to a request from the client computer to a host unit for accessing hardware and software inventory data on the target device, said inventory-commence message being generated by the host unit **and being sent to the client computer**, said target device being remote with respect to and **not being connected** to the client computer, said target device being only intermittently accessible on its own to the data network;
> a detector, on the target device, including means for collecting the hardware and software inventory data relating to hardware and software installed on the target device in response to commands included in the inventory-commence message; and
> a transmitter, **on the target device**, including means for transmitting from the target device to the host unit of the component audit and inventory management system, through the data network, an inventory data message including the inventory data associated with the target device, **wherein the client computer initiates access to the host unit for accessing the hardware and software inventory data of the target device**.

Applicants respectfully submit that Fleming merely teaches "a system that automatically retrieves and installs a current device driver when a corresponding device **is installed in a computer system**." Fleming, col. 1, lines 65-67. There is no installation with embodiments of the invention. Furthermore, Fleming fails to disclose or suggest the feature of "a receiver, on a

target device, including means for receiving an inventory-commence message from a client
computer over a data network **in response to a request from the client computer to a host unit**
for accessing hardware and software inventory data on the target device, said inventory-
commence message being generated by the host unit **and being sent to the client computer**."
Instead of "in response to a request from the client computer to a host unit," Fleming discloses
"upon detecting device 102, computer system 108 reads URL 106 from non-volatile memory 104
within device 102 and uses URL to retrieve current driver 116 from server 112." Fleming, col. 1,
lines 34-37. Nowhere does Fleming disclose or suggest a request from the client computer to the
host unit.

Also, nowhere does Fleming disclose or suggest "…said target device being remote with
respect to and **not being connected** to the client computer." Fleming specifically discloses that
"Device 102 is inserted into computer system 108 (emphasis added)." Fleming, col. 4, lines
33-34. Applicants respectfully submit that Fleming could not disclose embodiments of the
invention because it requires the device 102 be inserted to computer system 108. Therefore,
Applicants respectfully submit that the office fails to establish the *prima facie* elements of an
obviousness rejection.

Furthermore, Applicants respectfully submit that nowhere does Fleming disclose or
suggest "a transmitter, **on the target device**, including means for transmitting from the target
device to the host unit of the component audit and inventory management system…, **wherein
the client computer initiates access to the host unit for accessing the hardware and software
inventory data of the target device**" because Fleming fails to disclose or suggest the target
device transmitting anything to the host unit and having the client computer to initiate the access
of the hardware and software inventory data from the host unit. See lines 18-19 on page 16 of
the application. In particular, Fleming specifically discloses that "retrieving current driver 116
entails sending an identifier for computer system 108 to server 112 can return a version of
current driver 116 that is tailored to computer system 108." The client computer in Fleming fails
to perform any initiation to request the hardware and software inventory data from the host unit.
Therefore, for at least the reasons above, Applicants respectively submit that Fleming fails to
disclose or suggest each and every element of the amended claims. Hence, the rejection of
claims 1-5 and 7-8 under 35 U.S.C. §103(a) should be withdrawn.

For at least the reasons noted above, Applicants respectfully submit that claims 1-5 and 7-8 are in condition for allowance and respectfully requests favorable reconsideration of this application. The fact that Applicants may not have specifically traversed any particular assertion by the Office should not be construed as indicating Applicants' agreement therewith.

The Applicants wish to expedite prosecution of this application. If the Examiner deems the claims as amended to not be in condition for allowance, the Examiner is invited and encouraged to telephone the undersigned to discuss making an Examiner's amendment to place the claims in condition for allowance.

The Commissioner is hereby authorized to charge any deficiency or overpayment of any required fee during the entire pendency of this application to Deposit Account No. 19-1345.

Respectfully submitted,

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